

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN W. SHEARS,

Plaintiff,

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant,

Case No. 1:09-cv-1011

HONORABLE PAUL L. MALONEY

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

Plaintiff filed a complaint seeking judicial review of the decision of the Commissioner of Social Security denying his claims for benefits. The matter was automatically referred to the magistrate judge pursuant to 28 U.S.C. § 636 and W.D. MICH. LCivR 72.2(b). The magistrate judge has issued a report recommending the plaintiff's motion to remand this case to the Commissioner be denied and that the Commissioner's decision be affirmed.

The Report and Recommendation (Dkt. #17) was duly served on the parties and no objections have been filed. Accordingly, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS HEREBY ORDERED that the plaintiff's motion to remand this case to the Commissioner is **DENIED** and the Commissioner's decision is **AFFIRMED**.

Date: August 25, 2010

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge